

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
Harley Davidson Credit Corporatoin

In Re:  
Gary Smiley,  
  
Debtor.



Order Filed on August 21, 2017  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

Case No.: 16-32030-JNP

Adv. No.:

Hearing Date: 6/20/2017 @10:00 a.m..

Judge: Jerrold N. Poslusny, Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: August 21, 2017**

A handwritten signature in dark ink, appearing to read "J. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

**(Page 2)**

Debtor: Gary Smiley

Case No: 16-3203-JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Harley Davidson Credit Corporation., Denise Carlon appearing, upon a motion to vacate the automatic stay as to a 2013 Harley Davidson FXDWG-103 Dyna Wide Glide, VIN # 1HD1GMP18DC301484, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Thomas Dowey, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of June 15, 2017, Debtor is due for the installment due December 15, 2016 through June 15, 2017 for a total default of \$2624.23 (7 @ \$374.89); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make a payment of \$500.00 directly to Secured Creditor no later than June 30, 2017; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$2,124.23 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular installment payments are to resume July 15, 2017, directly to Secured Creditor outside of the plan; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the regular monthly installment payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Gary L Smiley  
Debtor

Case No. 16-32030-JNP  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Aug 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 23, 2017.

db +Gary L Smiley, 400 South County Blvd, Egg Harbor City, NJ 08215-3031

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 23, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 21, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor Harley-Davidson Credit Corp bnicholas@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Creditor Harley-Davidson Credit Corp dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
James Patrick Shay on behalf of Creditor ARVEST CENTRAL MORTGAGE COMPANY  
james.shay@phelanhallinan.com  
Nicholas V. Rogers on behalf of Creditor ARVEST CENTRAL MORTGAGE COMPANY nj.bkecf@fedpne.com  
Thomas E. Dowey on behalf of Debtor Gary L Smiley tdesquire@hotmail.com

TOTAL: 7